

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

RAINBOW POPCORN COMPANY,	)	
	)	
Plaintiff,	)	7:06CV5015
	)	
v.	)	
	)	
INTER-GRAIN SPECIALTY	)	ORDER
PRODUCTS, LLC, an Indiana	)	
Limited Liability Company, et	)	
al.,	)	
	)	
Defendants.	)	

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IT IS ORDERED:

Defendant Inter-Grain Specialty Products, LLC's motion, filing 35, to dismiss without prejudice its fraud count contained within Count IV of its counterclaim is granted in accordance with counter-defendant Rainbow Popcorn Company's notice, filing 36.

DATED this 19<sup>th</sup> day of October, 2006.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge